IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

REGINA WILLIAMS,

Plaintiff,

vs.

Civil Action 2:07-CV-1031
Judge Holschuh
Magistrate Judge King

THE UNITED STATES POSTAL SERVICE,
***et al.*,**

Defendants.

ORDER AND
REPORT AND RECOMMENDATION

Plaintiff, who is proceeding without the assistance of counsel, apparently seeks leave to proceed in a civil action without the prepayment of fees or costs. Based on a document submitted by plaintiff (a copy of a letter apparently sent to plaintiff by the Social Security Administration), it appears that plaintiff is unable to pay the cost of filing this action. Plaintiff is therefore **GRANTED** leave to proceed without prepayment of fees or costs. 28 U.S.C. §1915(a). However, because the complaint fails to state a claim upon which relief can be granted, it must be dismissed. *See* 28 U.S.C. §1915(e).

The complaint names as defendants the United States Postal Service and the Nationwide Insurance Company. It alleges that, on August 31, 2007, plaintiff left the key to her post office mail box as well as other belongings in a stairwell on the steps of the Nationwide Insurance Company, and that those items were stolen. Plaintiff complains that she was required to pay $7.00 for a replacement key to her mailbox even though she was previously required to pay only $1.00 for a replacement key.

The allegations of the complaint fail to state a claim against either defendant upon which relief can be granted. It is therefore **RECOMMENDED** that the complaint and this action be **DISMISSED.**

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If any party seeks review by the District Judge of this *Report and Recommendation,* that party may, within ten (10) days, file and serve on all parties objections to the *Report and Recommendation,* specifically designating this *Report and Recommendation,* and the part thereof in question, as well as the basis for objection thereto. 28 U.S.C. §636(b)(1); F.R. Civ. P. 72(b). Response to objections must be filed within ten (10) days after being served with a copy thereof. F.R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation. See Thomas v. Arn,* 474 U.S. 140 (1985); *Smith v. Detroit Federation of Teachers, Local 231 etc.,* 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters,* 638 F.2d 947 (6th Cir. 1981).

October 19, 2007

s/Norah McCann King
Norah McCann King
United States Magistrate Judge